



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: Professional Interpreter Exchange, Inc.

File: B-261387

Date: June 6, 1995

DECISION

Professional Interpreter Exchange, Inc. protests the action of the Social Security Administration in conducting request for proposals No. SSA-RFP-95-1970. Professional Interpreter contends that the agency did not allow sufficient time to respond to questions concerning Professional Interpreter's proposal.

We dismiss the protest as untimely filed on May 15, 1995, because it challenges an alleged impropriety in the solicitation that should have been protested before the due date to respond to the agency's questions on April 20.

Our Bid Protest Regulations contain strict rules requiring timely submission of protests. These rules specifically require that protests based upon alleged improprieties in a solicitation which are apparent prior to the closing date for receipt of proposals must be filed prior to the time for closing. 4 C.F.R. § 21.2(a)(1). This rule includes challenges to alleged improprieties which did not exist in the initial solicitation but which are subsequently incorporated into the solicitation. In such cases, the solicitation must be protested not later than the next closing date for receipt of proposals following the incorporation. NASCO Aircraft Brake, Inc., B-237860, Mar. 26, 1990, 90-1 CPD ¶ 330. In this regard, we consider challenges to the due date for the submission of revised proposals as a challenge to the solicitation provisions. See Hollingshead Int'l, B-227853, Oct. 19, 1987, 87-2 CPD ¶ 372.

These timeliness rules reflect the dual requirements of giving parties a fair opportunity to present their cases and resolving protests expeditiously without unduly disrupting or delaying the procurement process. Air Inc.-Request for Recon., B-238220.2, Jan. 29, 1990, 90-1 CPD ¶ 129. In order to prevent these rules from becoming meaningless, exceptions are strictly construed and rarely used. *Id.*

The protest is dismissed.

A handwritten signature in cursive script that reads "Ronald Berger".

Ronald Berger
Associate General Counsel